



**CITY OF COLUMBUS
BOARD OF ZONING APPEALS
(April 23, 2024 Meeting)**

STAFF REPORT

Docket No. / Project Title: CDS-2024-005 (Jeff Finke)
Staff: Kyra Behrman
Applicant: Jeff Finke
Property Size: 1.09 Acres
Current Zoning: PUD (Planned Unit Development)
Location: Located on north side of Grissom Street approximately 200 feet east of the intersection with Andrews Street, in the City of Columbus (Lot 13, Airplex Commerce Center Section One).

Background Summary:

The applicant has indicated that the proposed variance is to allow a proposed driveway to access two new 6,048 sq. ft. warehouses. The new drive will be centered between the two warehouses and will be less than 100-feet from the nearest driveway; specifically, 89.25 feet from the driveway to the property to the west (Veteran’s Hauling).

Preliminary Staff Recommendation:

Denial; criterion #3 has not been met.

Zoning Ordinance Considerations:

District Intent: The Air Plex Commerce Center is intended to provide for the accommodation of low-intensity, light manufacturing and warehousing. This includes but is not necessarily limited to, the fabrication and assembly of goods from previously prepared raw materials. Retail activities are allowed, provided that they are an accessory use which is directly associated with the principal use of the site. Uses should be local and regional in scale. The Air Plex Commerce Center should be developed so as to reflect a comprehensive and attractive setting in a manner which compliments the relatively higher design aesthetics of the Info Tech Park, Educational Life Sciences Center, and Ray Boll Commerce Center areas.

Development Standards: Section 7.3(Part 1)(C)(3)(c)(iii) states that no two entrances from a public street or road to a property shall be permitted within 100-feet on local streets.

Current Property Information:	
Land Use:	Farming
Site Features:	Undeveloped
Flood Hazards:	No flood hazards exist on this site.

Vehicle Access:	Grissom Street (Local, Industrial, Suburban)
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Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	PUD (Planned Unit Development)	Undeveloped
South:	PUD (Planned Unit Development)	Contractor's Office (Veteran Hauling)
East:	PUD (Planned Unit Development)	Undeveloped
West:	PUD (Planned Unit Development)	Warehouse (MFG Furniture)

Interdepartmental Review:	
City Engineering:	No comments.
City Fire Department:	The proposed driveway separation for this site does not pose any concerns in regard to an emergency response at this location.
Code Enforcement:	No comments.

Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The applicant is proposing to construct two warehouses, each 6,048 sq. ft., with a common entrance centered on the subject lot and centered between the two proposed warehouses.
2. The subject site is 218 feet by 218 feet. Along the easternmost Grissom Street frontage of this site, there is an existing, 70 foot infiltration trench with existing depressed curbing centered in front of the infiltration trench. The existing depressed curbing assists with routing water run-off from the street into the storm water infiltration trench. If the proposed driveway were moved to the east to meet the 100 foot separation distance from the nearest existing driveway (Veteran's Hauling), the infiltration trench and depressed curbing would be disturbed. Due to the depressed curbing and storm water infiltration trench, a driveway is only possible on the western 148 feet of the property. Within this area, it would be possible for the proposed drive to be aligned with that for Veteran's Hauling and comply with the applicable zoning ordinance requirements.
3. The centerline of the proposed driveway for this site will be located 109 feet from the west property line and 89.25 feet from the centerline of the nearest driveway to the west (Veteran's Hauling).
4. The proposed structures and parking are not impeding any visibility entering and / or exiting the site at the proposed driveway location. Further, any future landscaping for the site would be reviewed for compliance with the intersection visibility triangle.
5. Grissom Street is a local street with 50-feet of right-of-way. A local street is not intended to carry high volumes of traffic and has lower speed limits.

Provisional Findings of Fact/Decision Criteria:

The Board of Zoning Appeals may approve or deny variances from the development standards of the City of Columbus Zoning Ordinance. The Board may impose reasonable conditions as part of an approval. A variance from the development standards may only be approved upon a determination in writing that:

- 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

Provisional Findings: The proposed location of the driveway will not be injurious to the general welfare of the community by being only 89.25 feet from the driveway to the west. Per the Columbus Fire Department, the site will be able to be adequately accessed by medical and fire personnel. The City Engineer has made no comment on the variance, and therefore has identified no traffic safety issues. *This criterion has been met.*

- 2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**

Provisional Findings: Allowing the proposed driveway to be closer than 100 feet to the nearest driveway does not impede the neighboring properties from continuing to use their sites as they previously have, nor would the proposed driveway location negatively impact their property values. The nearest drive remains 89.25 feet to the west and no access issues for that property resulting from the proposed new drive have been identified. *This criterion has been met.*

- 3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain.**

Provisional Findings: The applicant does not address why a driveway could not be aligned with the existing nearest driveway to the west (Veteran’s Hauling). Aligning the proposed driveway with Veteran’s Hauling would also meet the minimum separation distance from the existing, exceedingly wide driveway further to the west that serves Manufacturing Warehouse, Inc. The request for a reduced driveway separation distance does not appear to be due to a unique characteristic or practical difficulty in the use of the property. *This criterion has not been met.*

Board of Zoning Appeals Options:

In reviewing a request for development standards variance the Board may (1) approve the petition as proposed, (2) approve the petition with conditions, (3) continue the petition to a future meeting of the Board, or (4) deny the petition (with or without prejudice). Failure to achieve a quorum or lack of a positive vote on a motion results in an automatic continuance to the next regularly scheduled meeting.

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**City of Columbus - Bartholomew County Planning Department
Development Standards Variance Application**

Submit applications and materials by e-mail to planning@columbus.in.gov. If questions, please call: 812.376.2550.
Submittal instructions available at <https://www.columbus.in.gov/planning/applications-forms/>.

To be Completed by the Planning Department

Pre-submittal Meeting on (date): 3/5/24 by (initials): MB
Application Received on (date): 3/19/24 by (initials): JAM
Jurisdiction: Columbus Bartholomew County Joint District
Hearing Procedure: Board of Zoning Appeals Hearing Officer
Docket No.: CDS-2024-005 Zoning District: AIRPark PUD
Property Owner Name (from GIS): City Of Columbus

To be Completed by the Applicants

STOP! All variance applicants must meet with a Planning Department staff member before completing this application. Please contact the Department at 812.376.2550 at least 1 week prior to the applicable Board of Zoning Appeals application deadline to schedule a review meeting. The Department cannot guarantee a timely review meeting if contacted less than 1 week prior to the deadline and is not responsible for any missed deadline that may result.

Representative / Notification Information:

The contractor, surveyor, attorney, or other person authorized to act on behalf of the project owner (or the project owner if no other representative will be used) and to whom all correspondence regarding this application should be directed.

Representative Person's Name: Tim Thomas

Representative's Company Name: Milestone Design Group, Inc.

Mailing Address: 1428 Lafayette Ave Columbus, IN 47201
(number) (street) (city) (state) (zip)

Phone No.: 812-372-7398 E-mail Address: tthomas@milestonedesign.org

All correspondance will be by e-mail unless another method has been agreed upon by the Planning Department.

Project Information:

The home owner, business, institution, etc. that is requesting the variance – NOT the contractor, surveyor, or other representative (see above). If the project owner will be representing themselves, their information should be entered above and "same as above" may be entered below.

Home Owner, Business, Institution, Etc. Name: Jeff Finke

Business, Institution, Etc. Contact Person Name: Jeff Finke

Mailing Address: 301 1st Street Columbus, IN 47201
(number) (street) (city) (state) (zip)

Phone No.: 812-373-7653 E-mail Address: jeff@jefffinke.com

Property / Location Information:

Property Address: Lot 13, Grissom Street, Columbus, IN
(number) (street) (city)

or General Location (if no address has been assigned provide a street corner, subdivision lot number, etc):

Lot 13, Airplex Commerce Center Section One

Variance Requested:

I am requesting a variance from Section 7.3(Part 1)(C)(3)(c)(iii) of the Zoning Ordinance to allow the following:

89.25 feet of separation between two entrances on a Local Street or Road where the Zoning Ordinance requires 100 feet

Please describe the project for which the variance is sought:

The developer wishes to construct two warehouses (each 6,048 square feet in size) with a common entrance centered on the lot proposed for development and centered between the two proposed buildings on Lot 13 in the Airplex Commerce Center, Section One

Variance Request Justification:

The Indiana Code and the Columbus & Bartholomew County Zoning Ordinance establish specific criteria that each must be met in order for a development standards variance to be approved. Describe how the variance request meets each of the following criteria.

1. **The approval will not be injurious to the public health, safety, morals, and general welfare of the community.** For example: What harm could come from approving the variance? Would it create any public safety issues? Why or why not.

The request is substantially compliant with the separation requirement (89.25%). The roadway in question is of low classification (local) with limited anticipated traffic. There is clear line of sight in all direction for drivers to note and react to conflicting traffic patterns. As such, we do not believe granting the request will be harmful to the public health, safety, morals or general welfare of the community.

2. **The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.** For example: What impacts can the neighbors realistically expect to the use of their property and to their property values? Will approval of the variance cause any negative impacts to the neighbors? Why or why not.

The request is substantially compliant with the separation requirement (89.25%). Locating an entrance slightly closer to an existing entrance on the opposite side of the street would not have a negative impact on property value and would not limit the use of adjoining properties.

3. **The strict application of the terms of the Zoning Ordinance will result in practical difficulties in the use of the property. This situation shall not be self-imposed; nor be based on a perceived reduction of, or restriction on, economic gain.** For example: Is there a reason the property cannot be used without the variance? If so, what is that reason (does a stream, existing building, well, or septic system limit options for new construction)? Explain the reason.

The request is substantially compliant with the separation requirement (89.25%). We are unable to align our entrance with Lot 9 to our south given its proximity to our western property line. In addition, an existing curb turnout and associated infiltration trench serving drainage needs for Grissom Street is located due east of our proposed entrance. If forced to comply we would disturb the existing infiltration trench during the construction of the relocated entrance.

Application Fee Refund Information:

The adopted Planning Department Schedule of Application Fees provides for the refunding of the application fee for this request if it is approved by the Board of Zoning Appeals. The refund will be provided by mail in the form of a check. It may take several weeks after the Board of Zoning Appeals approval to process the refund and issue the check. Please indicate to whom any refund should be provided:

Name: Jeff Finke

Address: 301 1st Street Columbus, IN 47201
(number) (street) (city) (state) (zip)

Representative's Signature / Acknowledgement:

The information included in and with this application is completely true and correct to the best of my knowledge and belief.



(Representative's Signature)

3/15/24

(Date)

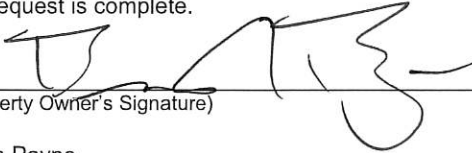
Tim Thomas

(Representative's Printed Name)

Property Owner's Signature:

The owner DOES NOT include a tenant or contract buyer. Applications submitted without the property owner's signature will not be processed.

I authorize the filing of this application and will allow the Planning Department staff to enter this property for the purpose of analyzing this request. I understand that a public notice sign may be placed and remain on the property until the processing of the request is complete.



(Property Owner's Signature)

3/18/24

(Date)

Brian Payne

(Property Owner's Printed Name)

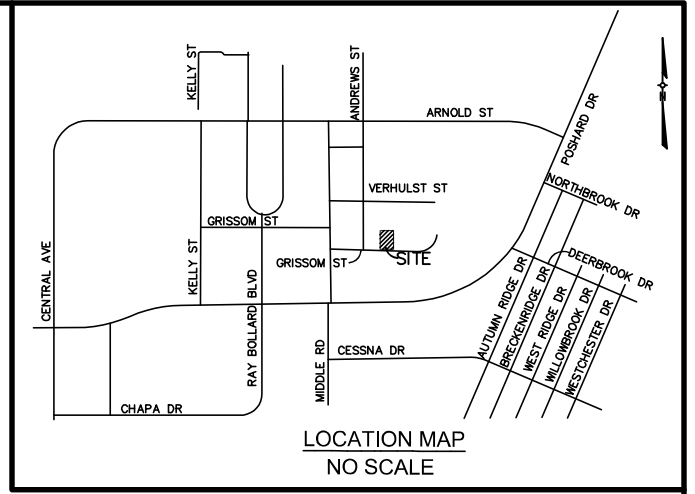
Signer's Ownership Role or Representation:

If the person signing as the property owner is not specifically listed as such in the records of Bartholomew County, please indicate their relationship to that officially listed person, role in that corporation or entity, etc. below.

Airport Director

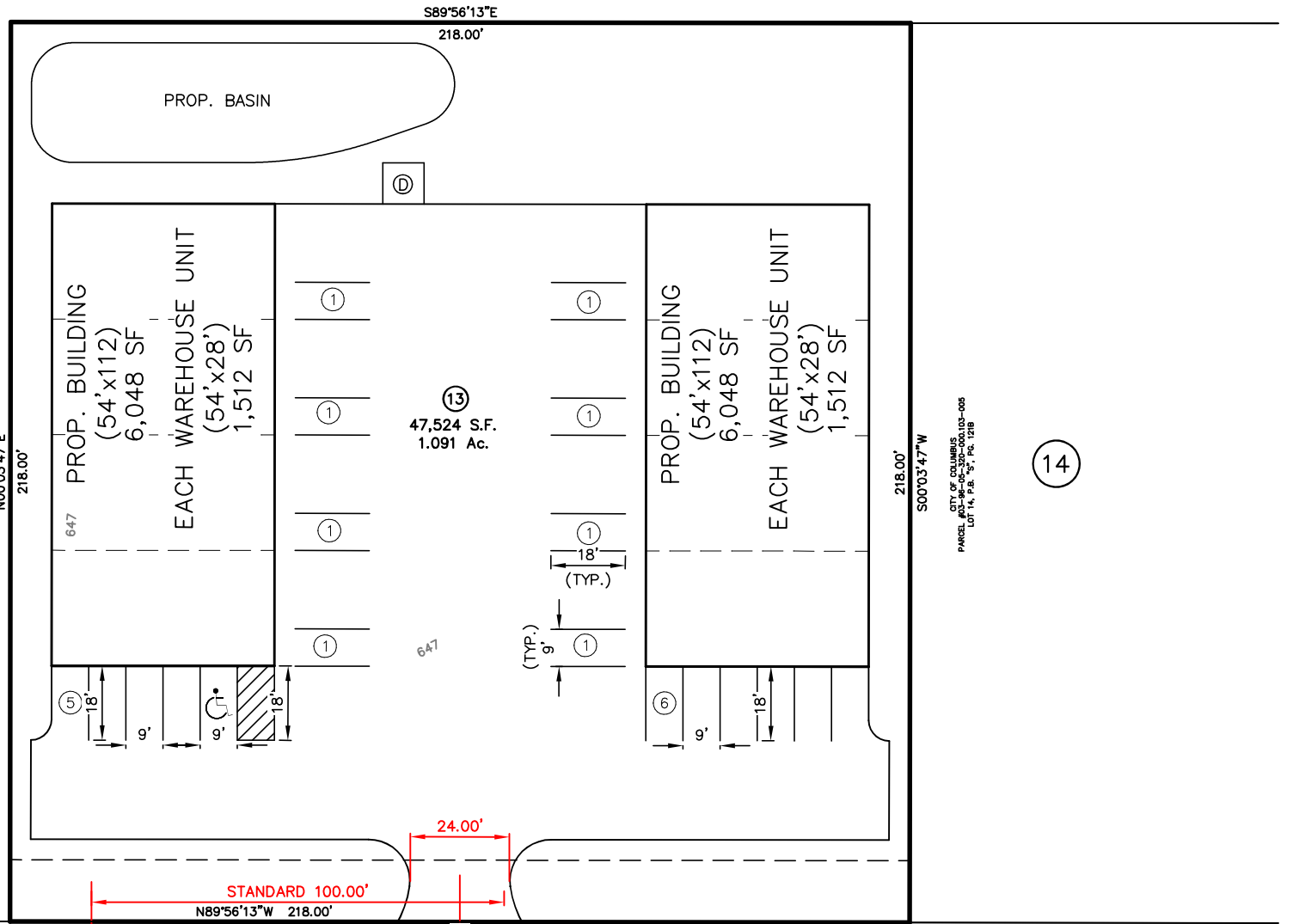
(Signer's Ownership Role or Representation)

ENTRANCE SEPERATION VARIANCE EXHIBIT



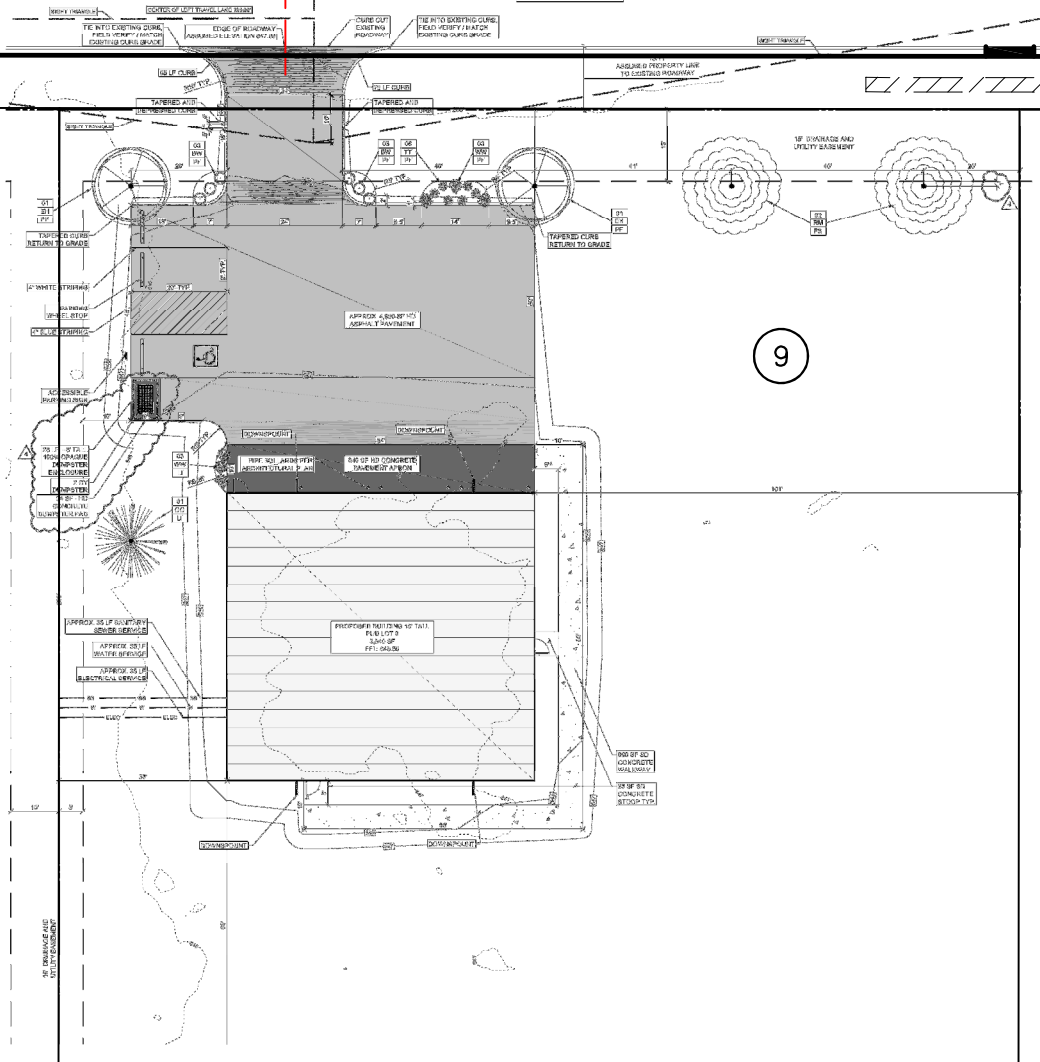
PARENT TRACT REMAINDER

PARENT TRACT REMAINDER
P.B. '57, PG. 121B



CITY OF COLUMBUS
PARCELS MAP 14, P.B. '57, PG. 121B

GRISSOM ST - 50' R/W
(LOCAL, SUBURBAN, INDUSTRIAL)



1428 Lafayette Avenue, Columbus, IN 47201
812.372.7398 www.milestonedesign.org

ENTRANCE SEPERATION VARIANCE EXHIBIT
AIRPLEX LOT 13, GRISSOM STREET, COLUMBUS, IN 47203
JOB NO: 24526 SHEET: 1 OF 1 DATE: 04/04/24
FILE NAME: 24526entrance

*NOTE: LOT 9 LAYOUT FROM APPROVED
ZCC PLANS PREPARED BY FORCE DEISGN.